

116TH CONGRESS
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H. R. 8286

To impose sanctions with respect to foreign persons that knowingly spread malign disinformation as part of or on behalf of a foreign government or political party for purposes of political warfare and to require a determination regarding the United Front Work Department of the Chinese Communist Party.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2020

Mr. BANKS (for himself, Mr. JOHNSON of Louisiana, and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To impose sanctions with respect to foreign persons that knowingly spread malign disinformation as part of or on behalf of a foreign government or political party for purposes of political warfare and to require a determination regarding the United Front Work Department of the Chinese Communist Party.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Countering Chinese
3 Propaganda Act”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The U.S.-China Economic and Security Re-
7 view Commission has noted that “China uses what
8 it calls United Front [Work Department] of the Chi-
9 nese Communist Party to co-opt and neutralize
10 sources of potential opposition to the policies and
11 authority of its ruling Chinese Communist Party
12 (CCP)”.

13 (2) In 1939, Chinese leader Mao Zedong hailed
14 the United Front Work Department as a “magic
15 weapon” in the victory of the communist revolution
16 along with “armed struggle”.

17 (3) Chinese President Xi Jinping has also re-
18 ferred to the United Front Work Department with
19 those words and given it a key role in what he calls
20 achieving China’s national rejuvenation.

21 (4) According to a report by Alex Joske of the
22 Australian Strategic Policy Institute, the United
23 Front Work Department has doubled in size since
24 2015.

25 (5) The United Front Work Department is in-
26 volved in espionage campaigns, political warfare ef-

1 forts, malign disinformation, utilizing the Chinese
2 diaspora abroad, and infiltration of educational insti-
3 tutions all with the goal of softening opposition to
4 the Chinese Communist Party and its policies
5 throughout the world.

6 (6) The United Front Work Department played
7 a seminal role in coordinating multifaceted
8 disinformation campaigns to blame the United
9 States for the spread of the Coronavirus Disease
10 2019 (“COVID–19”) pandemic and coverup China’s
11 negligent response to the pandemic.

12 (7) An investigation by ProPublica released on
13 March 26, 2020, found that the United Front Work
14 Department was connected to a network of fake and
15 hijacked Twitter accounts that were covertly spread-
16 ing Chinese government propaganda about COVID–
17 19 to global audiences.

18 (8) The United Front Work Department uti-
19 lized Chinese diaspora community associations under
20 its control to purchase personal protective equipment
21 as the COVID–19 outbreak troubled China from
22 mid-January 2020 on.

23 (9) In February 2020, The Global Times, a site
24 run by the Chinese Communist Party’s People’s
25 Daily newspaper, alleged that COVID–19 was

1 brought to China from a United States military base
2 during the World Games.

3 (10) As Sheridan Prasso of Bloomberg has re-
4 ported, the United Front Work Department has ac-
5 tively worked to undermine democracy in Hong
6 Kong under the umbrella of China's State Council's
7 Liaison Office by spreading disinformation and acti-
8 vating a network of media outlets, and diaspora or-
9 ganizations and pressuring businesses in the city to
10 support China's national security laws.

11 (11) The United Front Work Department has
12 played an integral role in China's war on religion by
13 leading efforts to publish a new edition of the Bible
14 with Chinese Communist characteristics, actively
15 running internment camps and carrying out anti-re-
16 ligion campaigns against Uyghur Muslims in
17 Xinjiang and severe religious repression of Bud-
18 dhists in Tibet.

1 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
2 **EIGN PERSONS THAT KNOWINGLY SPREAD**
3 **MALIGN DISINFORMATION AS PART OF OR**
4 **ON BEHALF OF A FOREIGN GOVERNMENT OR**
5 **POLITICAL PARTY FOR PURPOSES OF POLIT-**
6 **ICAL WARFARE.**

7 (a) IMPOSITION OF SANCTIONS.—The President shall
8 impose the sanctions described in subsection (b) with re-
9 spect to any foreign person that the President determines
10 knowingly commits a significant act of malign disinforma-
11 tion on behalf of the government of a foreign country or
12 foreign political party which has the direct purpose or ef-
13 fect of influencing political, diplomatic, or educational ac-
14 tivities in the United States for the purpose of harming—

15 (1) the national security or defense of the
16 United States; or

17 (2) the safety and security of any United States
18 citizen or legal permanent resident.

19 (b) SANCTIONS DESCRIBED.—

20 (1) IN GENERAL.—The sanctions described in
21 this subsection with respect to a foreign person de-
22 termined by the President to be subject to sub-
23 section (a) are the following:

24 (A) ASSET BLOCKING.—The President
25 shall exercise of all powers granted to the Presi-
26 dent by the International Emergency Economic

1 Powers Act (50 U.S.C. 1701 et seq.) to the ex-
2 tent necessary to block and prohibit all trans-
3 actions in property and interests in property of
4 the foreign person if such property and inter-
5 ests in property are in the United States, come
6 within the United States, or are or come within
7 the possession or control of a United States
8 person.

9 (B) INADMISSIBILITY OF CERTAIN INDIVIDUALS.—
10

11 (i) INELIGIBILITY FOR VISAS, ADMIS-
12 SION, OR PAROLE.—In the case of a for-
13 eign person who is an individual, the for-
14 eign person is—

15 (I) inadmissible to the United
16 States;

17 (II) ineligible to receive a visa or
18 other documentation to enter the
19 United States; and

20 (III) otherwise ineligible to be
21 admitted or paroled into the United
22 States or to receive any other benefit
23 under the Immigration and Nation-
24 ality Act (8 U.S.C. 1101 et seq.).

25 (ii) CURRENT VISAS REVOKED.—

1 (I) IN GENERAL.—In the case of
2 a foreign person who is an individual,
3 the visa or other documentation
4 issued to the person shall be revoked,
5 regardless of when such visa or other
6 documentation is or was issued.

7 (II) EFFECT OF REVOCATION.—
8 A revocation under subclause (I)
9 shall—

10 (aa) take effect immediately;
11 and
12 (bb) automatically cancel
13 any other valid visa or entry doc-
14 umentation that is in the per-
15 son's possession.

16 (2) PENALTIES.—The penalties provided for in
17 subsections (b) and (c) of section 206 of the Inter-
18 national Emergency Economic Powers Act (50
19 U.S.C. 1705) shall apply to a person that violates,
20 attempts to violate, conspires to violate, or causes a
21 violation of regulations promulgated under sub-
22 section (e) to implement this section to the same ex-
23 tent that such penalties apply to a person that com-
24 mits an unlawful act described in section 206(a) of
25 that Act.

1 (3) EXCEPTION TO COMPLY WITH UNITED NA-
2 TIONS HEADQUARTERS AGREEMENT.—Sanctions
3 under paragraph (1)(B) shall not apply to a foreign
4 person who is an individual if admitting the person
5 into the United States is necessary to permit the
6 United States to comply with the Agreement regard-
7 ing the Headquarters of the United Nations, signed
8 at Lake Success June 26, 1947, and entered into
9 force November 21, 1947, between the United Na-
10 tions and the United States, or other applicable
11 international obligations.

12 (c) WAIVER.—The President may, on a case-by-case
13 basis and for periods not to exceed 180 days, waive the
14 application of sanctions imposed with respect to a foreign
15 person under this section if the President certifies to the
16 appropriate congressional committees not later than 15
17 days before such waiver is to take effect that the waiver
18 is vital to the national security interests of the United
19 States.

20 (d) IMPLEMENTATION AUTHORITY.—The President
21 may exercise all authorities provided to the President
22 under sections 203 and 205 of the International Emer-
23 gency Economic Powers Act (50 U.S.C. 1702 and 1704)
24 for purposes of carrying out this section.

25 (e) REGULATORY AUTHORITY.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the President
3 shall promulgate regulations as necessary for the im-
4 plementation of this section.

5 (2) NOTIFICATION TO CONGRESS.—Not less
6 than 10 days before the promulgation of regulations
7 under paragraph (1), the President shall notify and
8 provide to the appropriate congressional committees
9 the proposed regulations and the provisions of this
10 section that the regulations are implementing.

11 (f) DEFINITIONS.—In this section:

12 (1) ADMITTED; ALIEN.—The terms “admitted”
13 and “alien” have the meanings given those terms in
14 section 101(3) of the Immigration and Nationality
15 Act (8 U.S.C. 1101(3)).

16 (2) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Foreign Affairs, the
20 Committee on the Judiciary, the Committee on
21 Ways and Means, and the Committee on Finan-
22 cial Services of the House of Representatives;
23 and

1 (B) the Committee on Foreign Relations
2 and the Committee on Banking, Housing, and
3 Urban Affairs of the Senate.

4 (3) FOREIGN PERSON.—The term “foreign per-
5 son” means a person that is not a United States
6 person.

7 (4) KNOWINGLY.—The term “knowingly”, with
8 respect to conduct, a circumstance, or a result,
9 means that a person has actual knowledge, or should
10 have known, of the conduct, the circumstance, or the
11 result.

12 (5) PERSON.—The term “person” has the
13 meaning given that term in section 576.311 of title
14 31, Code of Federal Regulations, as in effect on the
15 day before the date of the enactment of this Act.

16 (6) PROPERTY; INTEREST IN PROPERTY.—The
17 terms “property” and “interest in property” have
18 the meanings given the terms “property” and “prop-
19 erty interest”, respectively, in section 576.312 of
20 title 31, Code of Federal Regulations, as in effect on
21 the day before the date of the enactment of this Act.

22 (7) UNITED STATES PERSON.—The term
23 “United States person” has the meaning given that
24 term in section 576.317 of title 31, Code of Federal

1 Regulations, as in effect on the day before the date
2 of the enactment of this Act.

3 (g) SUNSET.—

4 (1) IN GENERAL.—This section shall cease to
5 be effective beginning on January 1, 2025.

6 (2) INAPPLICABILITY.—Paragraph (1) shall not
7 apply with respect to sanctions imposed with respect
8 to a foreign person under this section before Janu-
9 ary 1, 2025.

10 **SEC. 4. DETERMINATION WITH RESPECT TO THE IMPOSI-**
11 **TION OF SANCTIONS ON THE UNITED FRONT**
12 **WORK DEPARTMENT OF THE CHINESE COM-**
13 **MUNIST PARTY.**

14 (a) DETERMINATION.—Not later than 90 days after
15 the date of the enactment of this Act, the Secretary of
16 State shall submit to the appropriate congressional com-
17 mittees a determination, including a detailed justification,
18 on whether the United Front Work Department of the
19 Chinese Communist Party, or any component or official
20 thereof, meets the criteria for the application of sanctions
21 pursuant to—

22 (1) section 3 of this Act;

23 (2) section 1263 of the Global Magnitsky
24 Human Rights Accountability Act (subtitle F of title
25 XII of Public Law 114–328; 22 U.S.C. 2656 note);

1 (3) section 6 of the Uyghur Human Rights Pol-
2 icy Act of 2020 (Public Law 116–145); or

3 (4) Executive Order 13694 (50 U.S.C. 1701
4 note; relating to blocking property of certain persons
5 engaged in significant malicious cyber-enabled activi-
6 ties).

7 (b) FORM.—The determination required by sub-
8 section (a) shall be submitted in unclassified form but may
9 contain a classified annex.

10 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
11 FINED.—In this section, the term “appropriate congres-
12 sional committees” means—

13 (1) the Committee on Armed Services, the
14 Committee on Foreign Affairs, the Permanent Select
15 Committee on Intelligence, the Committee on Finan-
16 cial Services, and the Committee on the Judiciary of
17 the House of Representatives; and

18 (2) the Committee on Armed Services, the
19 Committee on Foreign Relations, the Select Com-
20 mittee on Intelligence, the Committee on Banking,
21 Housing, and Urban Affairs, and the Committee on
22 the Judiciary of the Senate.

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